

Renewable Energy Projects and the State Historic Preservation Office (SHPO)

The role of the Arizona State Historic Preservation Office (SHPO) in renewable energy projects in Arizona varies based on the nature and extent of federal and state agency involvement in the projects. Our agency reviews projects and advises federal and state agencies on compliance with the State and Federal Historic Preservation Legislation. For state agencies, the use of state land for or state financial assistance in an energy project will initiate compliance with the State Historic Preservation Act and SHPO. Federal agencies and the SHPO become involved in review of energy projects under Section 106 of the National Historic Preservation Act, if the project involved federal land, permits, licenses, or financial assistance. The SHPO acts on behalf of the Advisory Council on Historic Preservation under provisions of 36CFR Part 800.

Most renewable energy projects cover large areas of land and involve multiple agencies and land jurisdictions even private land. Most involve at least one federal agency or are managed through one agency taking the lead. Projects are submitted to the SHPO by federal agencies or their applicants. Unless some federal involvement is acknowledged and identified at the beginning of a project, the submittal for review by our office may be initiated by an application to the Arizona Power Plant and Transmission Line Siting Committee of the Arizona Corporation Commission for a Certification of Environmental Compatibility. One of the difficulties our office has encountered with renewable energy projects is ascertaining from applicants all of the appropriate agencies involved. This is critical for decisions of applicable Federal and State regulations and review processes. Having this information at the beginning of the project facilitates coordination of the review processes; consultation with tribes, agencies, and other stakeholders, and decreases review time.

The State and Federal Historic Preservation Acts both have review processes that require: the identification of historical and archaeological properties within the project area; assessment of the eligibility of identified properties for the Arizona or National Registers of Historic Places; evaluation of the impacts or effects the project will have on the Register-eligible or listed properties; and the development of mitigation measures if any National Register listed or eligible properties will be adversely affected by the energy project. Many areas proposed for renewable energy projects have not been previously surveyed for historic resources including archaeological sites.

Section 106 Regulations (36CFR Part 800) also require consultation with Tribes, the public and other interested parties throughout all of these steps in the process. For many renewable energy projects that will use federal funding or require federal permits, this process must be completed prior to the issuance of the permit or funding.

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